

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 21-55
)	
ANDREW PAINTER)	

UNITED STATES' SENTENCING MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Cindy K. Chung, United States Attorney for the Western District of Pennsylvania, and Karen Gal-Or, Assistant United States Attorney for said district, and respectfully submits the following Sentencing Memorandum to assist the Court in imposing a fair, reasonable, and just sentence.

I. BACKGROUND

The offense conduct described in the Presentence Report (PSR) accurately represents the facts of this case. As such, the United States incorporates that section of the PSR herein. The parties have entered into a binding plea agreement, pursuant to Rule 11(c)(1)(C), which recommends a sentence of 63 month term of imprisonment, a supervised release term to be determined by the Court, restitution in an amount not less than \$3,000 per victim, to be determined by the Court, and special assessments to be determined by the Court.

II. ARGUMENT

The United States respectfully submits that the sentence set forth in the plea agreement is, in this case, sufficient, but not greater than necessary, to achieve the purposes of sentencing. The Defendant has pled guilty to the serious crime of Possession of Material Depicting the Sexual Exploitation of a Minor, in violation of Title 18, United States Code, Section 2252(a)(4)(B), in a manner that has triggered several fact-based guideline enhancements. A sentence of 63 months' imprisonment is a significant term of incarceration that reflects the

seriousness of the offense, the history and characteristics of the Defendant, and the need for the sentence to afford adequate deterrence and protect the public.

As to the need to provide restitution, Title 18, United States Code, Section 3553(a)(7), the United States has provided to the Probation Office the restitution requests submitted by various victims. Based on information provided by defense counsel, agreements have been reached with all of the victims who have made restitution requests.

Respectfully submitted,

CINDY K. CHUNG
United States Attorney

/s/ Karen Gal-Or
KAREN GAL-OR
Assistant U.S. Attorney
U.S. Post Office and Courthouse
700 Grant Street, Suite 4000
Pittsburgh, Pennsylvania 15219